

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

North Point Capital Partners, LLC,
d/b/a Asset Recovery Corporation,

Plaintiff,

Civ. No. 08-695 (RHK/JSM)
**ORDER FOR STIPULATED
PERMANENT INJUNCTION**

v.

Asset Recovery & Recycling, Inc.,

Defendant.

This matter is before the Court on the parties' Joint Stipulation for the Entry of Judgment Granting Permanent Injunctive Relief (Doc. No. 12). In the Stipulation, the parties agree to the entry of a permanent injunction on the terms set forth below and the entry of judgment embodying the terms of said injunction. The Court having reviewed the Stipulation and the terms of the proposed permanent injunction and concluding that the relief requested therein is proper, **IT IS ORDERED** as follows:

1. Defendant, and all of its officers, employees, shareholders and affiliates, including but not limited to its President Gordon Littler (hereinafter collectively referred to as "Defendant"), are jointly, severally, and individually subject to the terms of the permanent injunction set forth below;
2. Defendant is **PERMANENTLY ENJOINED** from using, and shall immediately remove, all signs, badges, decals, labels or similar items from its offices,

business locations, vehicles, product containers, items of service and employee uniforms that contain, in whole or in part, either the name “Asset Recovery” or the “Arrow and Circle” logo referenced in the Complaint;

3. Defendant is **PERMANENTLY ENJOINED** from using, and shall immediately discontinue use of and destroy, all business cards, packaging materials, facsimile cover sheets, letterhead or any other documents or materials that utilize either the “Asset Recovery” name or the “Arrow and Circle” logo;

4. Defendant shall immediately file appropriate paperwork with the Minnesota Secretary of State to reinstate the good standing status of Asset Recovery & Recycling, Inc. and then change the name to “IT Express” or another name that does not incorporate, in whole or in part, the words “Asset” or “Recovery”;

5. Defendant shall immediately terminate all advertisements and online services, including but not limited to www.dexknows.com, that advertise its services under the Asset Recovery name or the Arrow and Circle logo;

6. Defendant shall immediately circulate a notice to all of its customers indicating that it is not affiliated with Asset Recovery Corporation of Saint Paul, Minnesota, and that its future business dealings will be conducted under the name “IT Express” or other business name that is not confusingly similar to Plaintiff’s name. Defendant shall provide the Court and Plaintiff with a copy of this notice as part of Plaintiff’s certification of compliance, as set forth in paragraph 8 below;

7. Defendant and all of its employees, officers, shareholders, and affiliates are

permanently enjoined and shall cease and desist from taking any further action, of any kind, utilizing the Asset Recovery name or the Asset Recovery "Arrow and Circle" logo, and further agree to be enjoined from taking any other action or utilizing any other name, logo or trademark that would be confusingly similar to Plaintiff's name and/or logo;

8. Defendant shall certify in writing that it has complied with all aspects of this Order, to be received by the Court and by Plaintiff no later than April 30, 2008, and such certification shall identify with specificity all actions it has taken to comply herewith;

9. Plaintiff's Motion for Preliminary Injunction (Doc. No. 4) and Motion for Relief from Local Rule 7.1 (Doc. No. 7) are **DENIED** as moot; and

10. The Court reserves jurisdiction over this matter for purposes of an application for attorney's fees, costs, and disbursements incurred by Plaintiff in this action, in the event that the Parties are unable to reach an Agreement on the amount thereof.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: April 23, 2008

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge